

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NORTHWEST ADMINISTRATORS, INC.,

Plaintiff,

v.

CATS EXCAVATING, INC.,

Defendant.

CASE NO. C24-0047-JCC

ORDER OF DEFAULT
JUDGMENT

This matter comes before the Court on Plaintiff's motion for default judgment (Dkt. No. 8). Having thoroughly considered the motion, accompanying declarations, the complaint, and the relevant record, the Court FINDS as follows:

1. On December 20, 2023, Plaintiff's trust fund notified Defendant of its failure to remit pension contributions by the date prescribed in the parties' labor agreement, (*see* Dkt. No. 9-4 at 2);
2. On January 10, 2024, Plaintiff filed this lawsuit to collect contributions for September 2023, November 2023, and December 2023, (*see* Dkt. No. 1);
3. Plaintiff properly served Defendant on January 23, 2024, (Dkt. No. 5);
4. On February 5, 2024, Defendant reported zero hours to Plaintiff's trust fund for September 2023, November 2023, and December 2023, (*see* Dkt. No. 8 at 5);

5. Nonetheless, Defendant has failed to appear or otherwise defend in this action, *see* Fed. R. Civ. P. 55(a);

6. The Clerk entered default against Defendant on February 27, 2024, (Dkt. No. 7);

7. This action is properly within the jurisdiction of the Court and venue is proper;

8. The factors set forth in *Eitel v. McCool*, 782 F.2d 1470, 1471–72 (9th Cir. 1986), support granting default judgment in Plaintiff’s favor.

For the foregoing reasons, the Court hereby GRANTS the motion and AWARDS judgment against Defendant and in favor of Plaintiff in the amount of \$1,354. This consists of \$819 in attorney fees and \$535 in court costs, both of which were incurred as a result of Defendant's failure to file contributions reports until after the initiation of this action. This amount is due the Plaintiff's Trusts by Defendant for its inclusive employment of members of the bargaining unit represented by Local 166 with which Defendant has a valid collective bargaining agreement, and which amounts are due by reason of its specific acceptance of the Declarations of Trusts.

Post-judgment interest shall accrue at the statutory rate as set forth in 28 U.S.C. § 1961(a). *See Northrop Corp. v. Triad Intern. Marketing, S.A.*, 842 F.2d 1154, 1155 (9th Cir. 1988); LCR 55(b)(2)(B).

SUMMARY OF JUDGMENT

Judgment Creditor:	Northwest Administrators, Inc.
Judgment Debtor:	Cats Excavating, Inc.
Attorney Fees:	\$819.00
Court Costs:	\$535.00
Other Recovery Amounts:	NONE
Interest Rate on Costs:	NONE
Total:	\$1,354.00
Attorneys for Judgment Creditor:	Reid, Ballew, Leahy & Holland, L.L.P.

1 DATED this 15th day of March 2024.

2
3
4 

5 John C. Coughenour
6 UNITED STATES DISTRICT JUDGE
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26